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Attorneys for Official Committee of  
Unsecured Creditors

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

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In re:	)	Bankruptcy No. 02-22906 RKM
	)	(Chapter 11)
SIMON TRANSPORTATION SERVICES INC.	)	[JOINTLY ADMINISTERED]
and DICK SIMON TRUCKING, INC.	)	
	)	Judge R. Kimball Mosier
Debtors.	)	
	)	

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**COMMITTEE OF UNSECURED CREDITORS' OMNIBUS OBJECTION  
TO CLAIMS LACKING DOCUMENTATION AND WERE PRESENTED IN A FORM  
THAT DOES NOT COMPLY WITH APPLICABLE RULES  
(FOURTH OMNIBUS OBJECTION)**

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The Official Committee of Unsecured Creditors (the "Committee"), by and through its counsel, Fabian and Clendenin, submits this omnibus objection (the "Objection") to those claims filed by certain unsecured creditors where there exists no documentation to support the claim and therefore fails to comply with the applicable rules for filing a claim. IF YOU ARE A

CLAIMANT RECEIVING THIS OBJECTION, YOU SHOULD LOCATE YOUR NAME AND CLAIM(S) HEREIN. The Committee seeks to have the Court disallow each of the claims set forth herein pursuant to 11 U.S.C. § 502 and Rule 3007 of the Federal Rules of Bankruptcy Procedure on the grounds set forth below. In support of the Objection, the Committee represents as follows:

1. Debtors Simon Transportation Services, Inc., and Dick Simon Trucking, Inc. (collectively referred to herein as “Debtors”) commenced the instant chapter 11 bankruptcy matters by filing petitions for relief on February 25, 2002.
2. Debtor Simon Terminal filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code on March 25, 2002.
3. Prior to confirmation of the Amended Joint Plan of Liquidation in this case, the Debtors’ cases were jointly administered by this Court.
4. Pursuant to Section 6.3 of the Joint Plan of Liquidation dated December 27, 2002, and the Order Confirming Amended Joint Plan of Liquidation dated March 11, 2003, the Committee is vested with all of the Debtors rights under Chapter 5 and Chapter 3 of the Code.
5. Pursuant to Sections 105 and 1142 of the Bankruptcy Code, 28 U.S.C. § 157 and 1334, the Bankruptcy Court retains jurisdiction over all matters arising out of, and related to, the Chapter 11 Cases and the Plan to the fullest extent permitted by law, including, without limitation, jurisdiction to allow, disallow, determine, liquidate, classify, estimate or characterize any claim or interest.

6. The Committee now objects to the claims set forth in paragraph 7 herein on the basis that the proofs of claim do not comply with applicable rules and the Committee is unable to determine the validity of the claim because of the noncompliance. Specifically, the claims set forth in paragraph 7 fail to provide either supporting evidence or an explanation for their failure to provide supporting evidence. *In re Kirkland*, 572 F.3d 838, 40-41 (10th Cir. 2009).

7. The claims listed herein each lack supporting documentation sufficient to allow the Committee to determine the validity of the claims.

Claim No	Creditor	Original Amount	Pages Referencing Grounds for Objection
0596	Bellsouth Telecommunications, Inc.	\$36,379.06	3
1046	Cannon, Bryan	\$13,282.38	3
0392	Cambridge Services	\$13,090.23	3
0122	Canawill, Inc.	\$13,090.23	3
0916	Clarendon National Insurance	\$277,025.01	3
0177	Concentra Medical Centers	\$6,335.91	3
0298	Corporate Image	\$56,243.71	3
1030	Firemans Fund Insurance Company	\$30,000.00	3
0948	Freemont Industrial Indemnity Co.	\$1,974,545.10	3
0691	Hill, Jeffrey, Ch. 7 Trustee of Westway Express	\$250,000.00	3
0933	Lewis, Michael J.	\$97,000.00	3
0401	Mathews Trucking	\$4,178.00	3
0664	Multifoods Dist. Group	\$6,097.92	3
0665	Multifoods Dist. Group	\$3,118.95	3
0071	Musiak, Thomas	\$0.00	3
0304	Progressive Co.	\$9,927.30	3
1048	Renaud, Cook & Drury	\$37,988.94	3
0923	Rocky Mountain Express	\$13,041.18	3
0728	State Farm Mutual Automobile Insurance Co.	\$12,673.96	3
0299	Steinicke, Paul J.	\$522.62	3
0537	Strasburger & Price	\$2,381.86	3
0591	Town Pump, Inc.	\$9,571.17	3

8. Because the foregoing claims failed to provide supporting the required documentation, the claimants listed herein have improperly shifted the burden to the Committee to disprove unsubstantiated claims.

9. The Committee expressly reserves the right to further object to the above-listed claims on both substantive and procedural grounds.

WHEREFORE, the Committee requests an order:

- A. Disallowing the claims set forth in paragraph 7 above in their entirety; and
- B. Granting such other and further relief as the court deems just and equitable.

DATED this 2<sup>nd</sup> day of April, 2010.

/s/ David N. Kelley

Peter W. Billings

Gary E. Jubber

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